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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: 2/16/05 Name: Andrew D. Stover, Reg. No. 38,629 Signature: [Signature]

BRINKS  
HOFFER  
GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: DiPaima et al.

Appln. No.: 10/750,424

Filed: December 30, 2003

For: VISUALLY COORDINATED ABSORBENT  
PRODUCT

Attorney Docket No: 659-2079

K-C Ref. No.: 19,995

Examiner: Unassigned

Art Unit: 3761

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ First Supplemental Information Disclosure Statement (in duplicate).
- ☒ Form PTO 1449.
- ☒ Copies of five (5) cited references.
- ☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Date

2/16/05

Respectfully submitted,

[Signature]

Andrew D. Stover (Reg. No. 38,629)



# **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope, with sufficient postage, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

February 16, 2005

Date of Deposit

Andrew D. Stover, Reg. No. 38,629

Name of Applicant, Assignee or  
Registered Representative

Signature

February 16, 2005

Date of Signature

Our Case No.: 659-2079 (KC 19,995)

## **IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

DiPalma et al.

Serial No.: 10/750,424

Filing Date: December 30, 2003

For: VISUALLY COORDINATED  
ABSORBENT PRODUCT

Examiner: Not yet assigned

Group Art Unit No.: 3761

## **FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this First Supplemental Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the

Examiner and made of record. Copies of the relevant listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner. Pursuant to 37 CFR 1.98 (a) (2) (i), effective for applications filed after June 30, 2003, First Supplemental Information Disclosure Statements may be filed without copies of U.S. patents and U.S. published applications. Such documents are therefore not being submitted herewith.

The references now cited are the following:

#### U.S. Patent Documents

U.S. Patent No.	Issue Date	Patentee
4,801,494	01/1989	Datta et al.
US 2003/0120241	06/2003	Sorebo et al.
US 2004/0186448	09/2004	Misek et al.

#### Other Art Documents

<b>OTHER ART – NON PATENT LITERATURE DOCUMENTS</b>
Digital color photo of Stayfree® Maxipad and packaging available from Johnson & Johnson prior to 12/30/03.
Digital color photo of Whisper packaging and absorbent pad distributed in Korea, Japan and Hong Kong, by Proctor & Gamble prior to 12/30/03, and as early as 07/03.
Digital color photo of Whisper pad and wrap distributed in Korea, Japan and Hong Kong, by Proctor & Gamble prior to 12/30/03, and as early as 07/03.
Digital color photo of packaging and absorbent pad distributed in Korea by Kimberly-Clark Corp. prior to 12/30/03, and as early as 01/01.
Digital color photo of packaging and absorbent pad distributed in Korea by Kimberly-Clark Corp. prior to 12/30/03, and as early as 01/01.

In accordance with 37 C.F.R. § 1.97(g),(h), this First Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This First Supplemental Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence

is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this First Supplemental Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Stover', is written over a horizontal line.

Andrew D. Stover  
Registration No. 38,629  
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610  
(312) 321-4200



FORM PTO-1449	SERIAL NO. 10/750,424	CASE NO. 659/2079 (KC 19,995)
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE December 30, 2003	GROUP ART UNIT 3761
(use several sheets if necessary)		APPLICANT(S): DiPaima et al.

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	B1	4,801,494	01/1989	Datta et al.		
	B2	US 2003/0120241	06/2003	Sorebo et al.		
	B3	US 2004/0186448	09/2004	Misek et al.		

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS <small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)</small>	
	B4	Digital color photo of Stayfree® Maxipad and packaging available from Johnson & Johnson prior to 12/30/03.
	B5	Digital color photo of Whisper packaging and absorbent pad distributed in Korea, Japan and Hong Kong, by Proctor & Gamble prior to 12/30/03, and as early as 07/03.
	B6	Digital color photo of Whisper pad and wrap distributed in Korea, Japan and Hong Kong, by Proctor & Gamble prior to 12/30/03, and as early as 07/03.
	B7	Digital color photo of packaging and absorbent pad distributed in Korea by Kimberly-Clark Corp. prior to 12/30/03, and as early as 01/01.
	B8	Digital color photo of packaging and absorbent pad distributed in Korea by Kimberly-Clark Corp. prior to 12/30/03, and as early as 01/01.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.